REMARKS

New claims 2 and 3 were prepared to obviate the §112 rejection.

On the merits, U.S. Patent No. 5,590,118 to Nederlof describes rerouting of a data stream previously routed through a switching network which has now failed. There is no reference to separate IS-IS areas and non-IS-IS areas, nor to the use of manual adjacencies as are now recited in new claims 2 and 3 of the present invention. Further, there is no reference to *a connection break between an IS-IS area and a non-IS-IS area* as is fundamental to the present invention.

U.S. Patent No. 5,678,178 to Tahkokorpi refers to a microcellular radio network and is concerned with dynamic establishment of digital transmission links so as to dynamically allocate (i.e., share) the transmission network elements according to their traffic load. The traffic load is determined on the basis of the number of traffic channels in use and those not in use, or on the basis of load information obtained from the network management of the radio network.

It is agreed that Tahkokorpi shows loops, but in no way does this disclose or suggest the claimed apparatus or method of the present invention. If a citation is made as showing a feature as being known, for it to render that feature being a basis for obviousness, clearly the citation must disclose the claimed use of that feature and "having loops" certainly does not satisfy that requirement.

Accordingly, Nederlof does not disclose or suggest the present invention and is traversed. The citation of Tahkokorpi is rendered moot.

Allowance of claims 2-3 is respectfully requested.

Petition is hereby made for a two-month extension of the period to respond to the outstanding Official Action to March 20, 2001. A check in the amount of $390.00, as the Petition fee, is enclosed herewith. If there are any additional charges, or any overpayment, in connection with the filing of this Response, the Commissioner is hereby authorized to charge any such deficiency, or credit any such overpayment, to Deposit Account No. 11-1145.

Wherefore, a favorable action is earnestly solicited.

Respectfully submitted,

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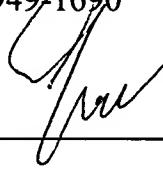
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NEW PROPOSED CLAIMS

1 2. A synchronous digital hierarchy (SDH) based communications network, comprising:

   a)   a plurality of data communications channels embedded within the network;

   b)   a plurality of intermediate systems (IS) divided between at least one non-IS-IS area and at least one IS-IS area within which a routing protocol forming part of a network layer of an open systems interconnection (OSI) is provided for routing a message from said at least one IS-IS area to a destination IS within said at least one non-IS-IS area, there being a plurality of connections between said at least one IS-IS area and said at least one non-IS-IS area;

   c)   a plurality of manual adjacencies (MAs) constituting static routes at one of the IS within said at least one IS-IS area, for identifying routes to at least one network equipment (NE) within said at least one non-IS-IS area; and

   d)   means for removing an identification of said at least one NE from which the message has been returned from the MAs after at least one of the connections to the destination IS within said at least one non-IS-IS area was broken, and for allowing routing of the message via alternative MAs.

2 3. In a synchronous digital hierarchy (SDH) based communications network including:

A)   a plurality of data communications channels embedded within the network, and

B)   a plurality of intermediate systems (IS) divided between at least one non-IS-IS area and at least one IS-IS area within which a routing protocol forming part of a network layer of an open systems interconnection (OSI) is provided for routing a message from said at least one IS-IS area to a destination IS within said at least one non-IS-IS area, there being a plurality of connections between said at least one IS-IS area and said at least one non-IS-IS area,

a method of routing the message, comprising the steps of:

a)   creating a plurality of manual adjacencies (MAs) constituting static routes at one of the IS within said at least one IS-IS area to allow routing to at least one network equipment (NE) within said at least one non-IS-IS area;

b)   returning the message from the MAs to said at least one IS-IS area after at least one of the connections to the destination IS within said at least one non-IS-IS area was broken; and

c)   removing an identification of said at least one NE from which the message has been returned from the MAs, and allowing routing of the message via alternative MAs.